IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL REVISION No. 42 of 2005

M/S MAHAVEER IRON STORE & ANR
V/S
DEV RAJ GUPTA

Mr. GJ GUPTA, for the appellant / petitioner

Date of Order : 2.2.2005

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

The findings recorded by the learned Courts below about advancement of money, and failure of the petitioner to make repayment, are pure findings of fact based on material on record, and are not shown to be suffering from any jurisdictional error. Then the only submission made is that the rate of interest awarded is excessive.

I have gone through the judgments, and find that within the meaning of Explanation Second appended to Section 34 CPC, the transaction is a commercial transaction, and the learned Lower Appellate Court has already reduced the pendent-lite, and future interest from 18% per annum to 9% per annum. I do not find any sufficient ground to reduce the rate of interest any further.

The revision thus, has no force, and is hereby dismissed summarily.

(N P GUPTA),J.

/tarun/